

From: Eric Lanser
To: Microsoft ATR
Date: 1/3/02 6:15pm
Subject: Microsoft Settlement

The anti-trust laws are of dubious constitutionality. They are more a-kin to a "government of men" than to the stated American ideal of a "government of laws." They do NOT treat all equally before the law (i.e. the successful). Finally, the laws violate the rights of the successful in favor of any mistaken and short-sighted voice of the "consumer interest." The anti-trust laws' dubious constitutionality is one of the primary reasons why they ultimately hurt consumers more than help them.

Ignoring the question of the rights to dispose of one's property in any way one wishes, another issue is at stake as well. The very existence of Microsoft and would-be corporations like it is greatly hindered by the presence and enforcement of the anti-trust laws. If Bill Gates had not ever existed, the world today would literally be a very different place. I'm not speaking of any sort of "It's a Wonderful Life" scenario here, but one of even greater importance. One where a single man has affected billions of people in a greatly positive way. Bill Gates provided the world with a vastly more efficient and effective platform than any other in existence. American people, and American corporations responded by purchasing it in vast numbers. Without Windows, the computer age would have, at best, been delayed a number of years. Although alternative platforms do exist, nearly every major company in the United States (and the world) uses some version of Windows on its machines. An office-place without computers would seem a strange site today, but it would be much more common without Bill Gates' actions.

Among the many successes of Windows is its integration of multiple applications smoothly and effectively. Incorporating Internet Explorer into windows served as a terrific convenience to purchasers of windows. It saved consumers not only the money to buy the program but also the shipping time of some alternative browser to their house, school, or business.

The entire reason Microsoft is being victimized by the anti-trust laws is because its business practices have been so successful, its products so vital, and its impact on America and the world so great. Microsoft should be held up as a model to emulate and Bill Gates as a hero and innovator of our times. By punishing the successful precisely because they have done what they have done in the most efficient, innovative, and profitable ways is beyond impractical; it is immoral.

The direct implications of penalizing Microsoft would mean one of a number of things (or some combination thereof): a. Layoffs at Microsoft; b. Higher prices for Windows and other software; c. Fewer innovations in the software field. Any voice of the "public" or "consumer interest" should not overlook the simple fact that a hefty fine on Microsoft will NOT come out of Bill

Gates pockets (nor should it), but ultimately out of the pockets of the "public" or consumers themselves. Even if no fine is involved, losses in profit (not to mention the costs to Microsoft for defending itself at trial) will have the same affects on prices/labor/innovation.

In the long run, if Microsoft is penalized for its successful business practices, it will forever be an example to future would-be innovators. Without Bill Gates and his would-be equals, no stimulus package in the world would be able to propel this economy or any other at the rate it has been growing since the early nineties. Without innovation in the computer field, or any other, the standard of living of the United States would stagnate, productivity would cease to rise, and every human being in the United States would suffer the consequences -- from the highest paid CEO (who would see his portfolio crumble and his own business stagnate) to every factory worker (who would cease to have increases in pay do to rises in productivity). Most of all the consumers would suffer. They would have far fewer quality products coming to market. The new products that would, against all odds, come to market would be at higher prices and/or of lower quality than they would otherwise be. Once again, I urge any speaker for "the public good" or the "consumer interest" to take a look at the ultimate (and even immediate) consequences of penalizing the successful for doing exactly what they do best, providing the public with innovations, improvements, and quality products at low prices. The whole spirit of the United States was that of a nation in which great minds and average minds alike could live and think as they pleased -- a symbol to the world of what the human mind and human self-interest could do for man and the world if he were left free.

Get your FREE download of MSN Explorer at <http://explorer.msn.com/intl.asp>.